

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 17-44 are presently active in this case. The present Amendment amends Claim 17, 25, 28, 39 and 42; adds new Claims 43-44 without introducing any new matter; and cancels Claims 27 without prejudice or disclaimer.

The outstanding Office Action rejected Claims 17-42 under 35 U.S.C. §102(b) as being anticipated by Massey, Jr. et al. (U.S. Patent No. 5,016,244, herein “Massey”).

To clarify Applicant's invention, Claim 17 is amended to recite features regarding a configuration file. These features find non-limiting support in the disclosure as originally filed, for example at page 7, line 21-32. Claim 39 is amended to recite similar features. Consequently, dependent Claim 27 is cancelled, and Claims 25, 28, 29 and 42 are amended to be consistent with the changes to the respective independent claims.

In light of the amendments to the independent claims, Applicant respectfully requests reconsideration of the rejection of Claims 17-42 under 35 U.S.C. §102(b) and traverses the rejection, as discussed next.

Briefly recapitulating, Applicant's invention, as recited in Claim 17 relates to a redundant routing system, including, *inter alia*: a first and second routing unit configured to manage input and output data; a network interface connecting the first and second routing units; a standby bus interface connecting the first and second routing units to each other; wherein the second routing unit is configured to detect a failure of the first routing unit by monitoring messages sent over both the network and the standby bus interface; wherein *sets of parameters for interpreting the messages are stored in at least one configuration file* included in both said first and second routing units. Independent Claim 39 recites similar feature in means-plus-function language.

As explained in Applicant's specification at page 3, lines 17-20 with corresponding Figure 2, Applicant's invention improves upon conventional redundant routing systems because to reduce the costs associated with operational reliability, a third-party arbitration system can be eliminated, thereby not degrading operation reliability, whatever types of input/output ports are used.

Turning now to the applied reference, Massey discloses a method of controlling failover, wherein two redundant network interface modules NIM-A and NIM-B communicate with each other with predetermined time intervals.¹ However, Massey fails to teach or suggest the configuration file included in both said first and second routing units, including sets of parameters necessary to interpret the messages. As explained in Massey at column 5, lines 32-51, the reasons why an error can be detected are: a status message is not received within a certain period of time, acknowledgement of the status message is not sent back to the originating NIM. Massey fails to teach or suggest that configuration files are stored on both routing units, since Massey's algorithms of fault detection do not need such information. Massey's NIMs merely require timing information so as to detect if an error occurred.

Massey also fails to teach or suggest the configuration parameters of an application running on at least one of the first and second routing units, as recited in amended Claim 17. Since Massey's NIMs are merely used as a communication interface between LCN 12 (the local control network) and UCN 14 (universal control network),² the NIMs are not configured to run different application software. Accordingly, Massey fails to teach or suggest

wherein sets of parameters for interpreting the messages, comprising ***configuration parameters of an application running on at least one of the first and second routing units***, are stored in at least one ***configuration file included in both said first and second routing units***.

as recited in amended, independent Claim 1.

¹ See Massey in the Abstract.

² See Massey at column 3, lines 31-47 and column 4, lines 25-30.

Independent Claim 39 recites features analogous to the features of independent Claim 17. In addition, independent Claim 39 is hereby amended in a manner analogous to Claim 17. Accordingly, for the reasons stated above for the patentability of Claim 17, Applicant respectfully submits that the rejections of Claim 39, and all associated dependent claims, are also believed to be overcome in view of the arguments regarding independent Claim 17.

Applicant also respectfully submits that Massey fails to teach or suggest all the features of Applicant's dependent Claims, as next discussed.

Regarding Claim 20, Massey fails to teach or suggest that the serial link comprises a Y-split cable. Massey merely explains that the local network 12 and the universal control network are connected with redundant coaxial cables.³ The outstanding Office Action points out to Figure 1 and various other passages by rejecting this feature of dependent Claim 20. Applicant respectfully submits that Figure 1 does not show a serial link at all, and therefore cannot show a serial link comprising a Y-split cable. As a fact, Massey is entirely silent on such a feature.

Regarding Claim 22, Massey fails to teach or suggest that the first routing unit deactivates itself and activates the second routing unit by a change of impedance of at least one input/output serial port. Again the outstanding Office Action points out to various passages of Massey that do not teach such a feature without giving any further grounds for rejecting this claim. Applicant respectfully submits that the reference Massey is entirely silent on such a feature.

The reference Massey is also silent on the features regarding a reset algorithm of dependent Claim 24, the loading of a set of parameters to the RAM of dependent Claim 28, and the alert protocol to warn of a possible failure of the system of dependent Claim 34.

³ See Massey at column 4, lines 46-53.

In addition, the outstanding Office Action also failed to indicate a passage in Massey to back up the rejections formed for dependent Claims 20, 22, 24, 28 and 34. In this respect, 37 C.F.R. §1.104(c)(2) explains that “[i]n rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, *the particular part relied on must be designated as nearly as practicable*. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified” (emphasis added).

Applicant therefore again respectfully requests proper examination of the dependent claims, or indication of allowable subject matter, if the dependent claims cannot be rejected based on prior art references.

In view of the above, the reference Massey fails to teach or suggest every feature recited in Applicant's claims, so that Claims 17-26 and 28-42 are patentably distinct over Massey. Accordingly, Applicant respectfully traverses, and requests reconsideration of, the rejection based on Massey.⁴

In order to vary the scope of protection recited in the claims, new Claims 43-44 are added. New Claims 43-44 depend upon independent Claims 17 and 39, and recite features that are included in the configuration file (Claim 17) or configuration means (Claim 39), respectively. New Claims 43-44 find non-limiting support in the disclosure as originally filed, for example at page 7, lines 21-32 and are therefore not believed to raise a question of new matter.⁵

⁴ See MPEP 2131: "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," (Citations omitted) (emphasis added). See also MPEP 2143.03: "All words in a claim must be considered in judging the patentability of that claim against the prior art."

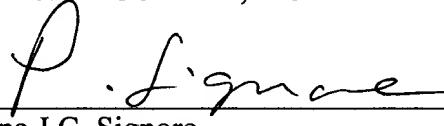
⁵ See MPEP 2163.06 stating that "information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter."

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 17-26 and 28-44 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,

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